## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

AMAZON.COM, INC. and AMAZON DATA SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR COMMERCIAL PARTNERS; BRIAN WATSON; STERLING NCP FF, LLC; MANASSAS NCP FF, LLC; NSIPI ADMINISTRATIVE MANAGER; NOVA WPC LLC; WHITE PEAKS CAPITAL LLC; VILLANOVA TRUST; CARLETON NELSON; CASEY KIRSCHNER; ALLCORE DEVELOPMENT LLC; FINBRIT HOLDINGS LLC; CHESHIRE VENTURES LLC; JOHN DOES 1-20,

Defendants.

CASE NO. 1:20-CV-484-LO-TCB

## DECLARATION OF TODD W. SHAW IN SUPPORT OF PLAINTIFFS' MOTION TO HOLD DEFENDANTS BRIAN WATSON & WDC HOLDINGS LLC IN CIVIL CONTEMPT

I, Todd W. Shaw hereby declare, under penalty of perjury, as follows:

- 1. I am over the age of 18 years. I have personal knowledge of the facts set forth below, and if called upon to do so, I could and would competently testify thereto.
- 2. I am an attorney licensed to practice law in the State of Texas and the District of Columbia. I am an attorney at the law firm of Gibson, Dunn & Crutcher, LLP ("Gibson Dunn"), and counsel for Amazon.com, Inc. and Amazon Data Services, Inc. (collectively "Plaintiffs" or "Amazon"). I make this declaration in support of Plaintiffs'

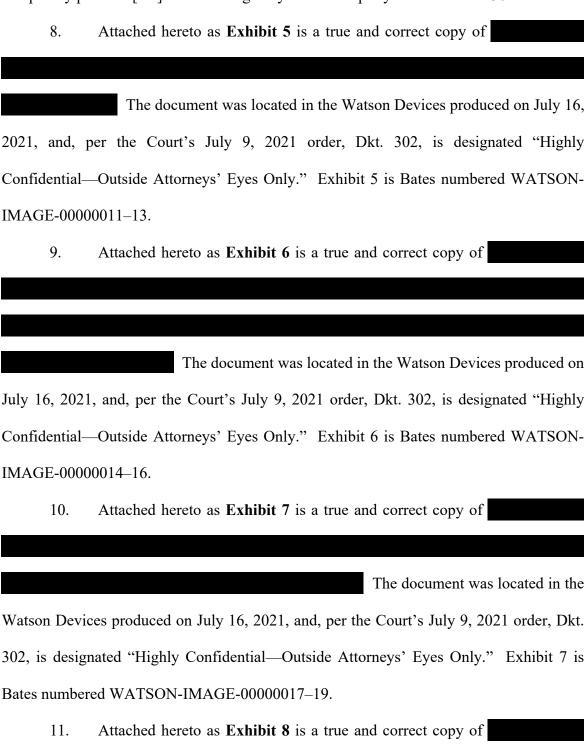
Motion To Hold Defendants Brian Watson & WDC Holdings LLC In Civil Contempt. If called as a witness, I could and would testify to the same as stated herein.

- Attached hereto as Exhibit 1 is a true and correct copy of the transcript of the hearing on Plaintiffs' Motion for Supplementary Rule 37 Relief, held by this Court on September 10, 2021.
  - 4. Attached hereto as **Exhibit 2** is a true and correct copy of

The document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or around February 3, 2021, was designated as "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0914476—WDC0914481.

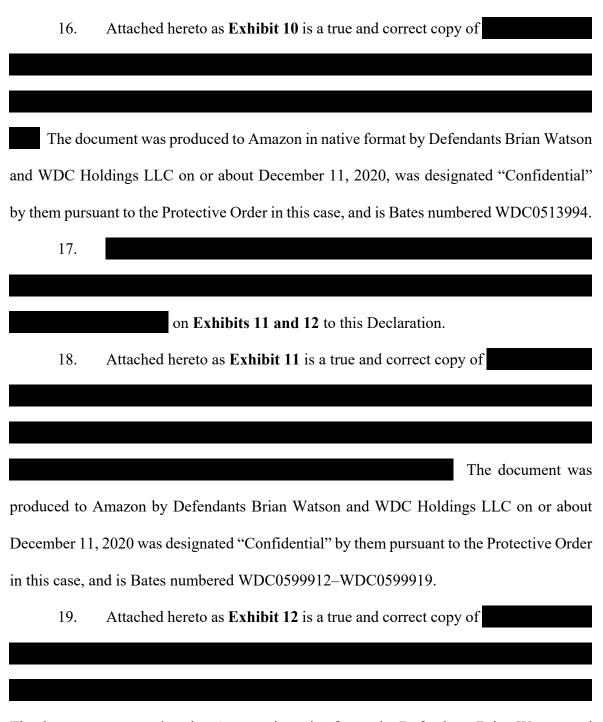
- 5. Attached hereto as **Exhibit 3** is a true and correct copy of a letter from Elizabeth Papez at Gibson Dunn, counsel for Amazon, to Donald Marcotte, Manager of 800 Hoyt LLC, and copying Stanley Garnett at Brownstein Hyatt Farber Schreck and George Calhoun at Ifrah Law, both counsel for Defendants WDC Holdings LLC and Brian Watson, dated August 24, 2021.
- 6. Attached hereto as **Exhibit 4** is a true and correct copy of an email from Stanley Garnett at Brownstein Hyatt to Elizabeth Papez, Claudia Barrett, and Patrick Stokes at Gibson Dunn, dated September 18, 2021, with the subject line "800 Hoyt, proposal."
- On July 16, 2021, Defendants Brian Watson and WDC Holdings (the "Northstar Defendants") produced to Amazon electronic images of three devices owned by

Watson (the "Watson Devices") pursuant to the Court's July 9, 2021 order to "fully and completely produce [the] devices imaged by their third-party vendor." Dkt. 302.



	The document was located in the
Vatson Dev	ices produced on July 16, 2021, and, per the Court's July 9, 2021 order, Dkt.
02, is desig	gnated "Highly Confidential—Outside Attorneys' Eyes Only." Exhibit 8 is
Bates numbe	ered WATSON-IMAGE-00000020–23.
12.	Exhibits 9-31, described individually below,
13.	In particular, Exhibits 9–31 show
14.	On
	Exhibits 9 and 10 to this Declaration.
15.	Attached hereto as <b>Exhibit 9</b> is a true and correct copy of

produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or about February 3, 2021 was designated "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0914364.

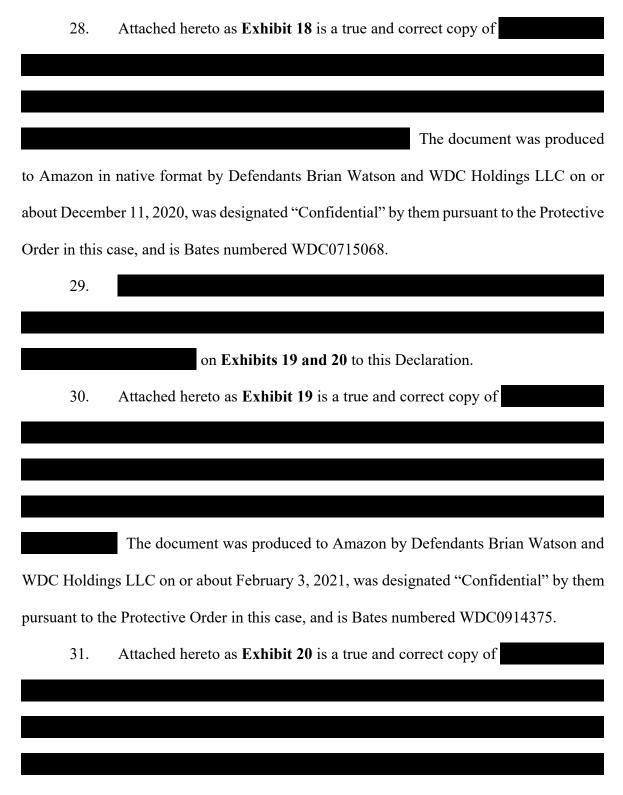


The document was produced to Amazon in native format by Defendants Brian Watson and

WDC Holdings LLC on or about December 11, 2020, was designated "Confidential" by
them pursuant to the Protective Order in this case, and is Bates numbered WDC0513994.
20.
on Exhibits 13 and
14 to this Declaration.
21. Attached hereto as <b>Exhibit 13</b> is a true and correct copy of
The document was produced to Amazon by
Defendants Brian Watson and WDC Holdings LLC on or about December 11, 2020 was
designated "Confidential" by them pursuant to the Protective Order in this case, and is Bates
numbered WDC0599912-WDC0599919.
22. Attached hereto as <b>Exhibit 14</b> is a true and correct copy of
The document was produced to Amazon in native format by Defendants Brian
Watson and WDC Holdings LLC on or about December 11, 2020, was designated
"Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered
WDC0513994.
23.
Exhibit 15 and
16 to this Declaration.

24. Attached hereto as <b>Exhibit 15</b> is a true and correct copy of
The document was produced to Amazon by
Defendants Brian Watson and WDC Holdings LLC on or about February 3, 2021, wa
designated "Confidential" by them pursuant to the Protective Order in this case, and is Bate
numbered WDC0914353.
25. Attached hereto as <b>Exhibit 16</b> is a true and correct copy of
The document was produced to Amazon in native format by Defendants Brian Watson and
WDC Holdings LLC on or about December 11, 2020, was designated "Confidential" by
them pursuant to the Protective Order in this case, and is Bates numbered WDC0513994.
26.
on Exhibits 17 and 18 to
this Declaration.
27. Attached hereto as <b>Exhibit 17</b> is a true and correct copy of a
The
document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC

on or about December 11, 2020, was designated "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC506748.



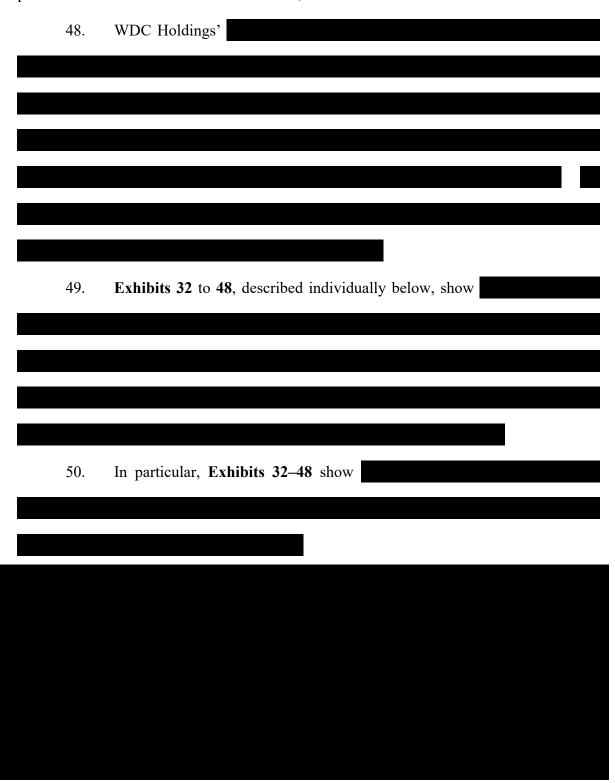
	The document was produced to
Amazon in nati	ve format by Defendants Brian Watson and WDC Holdings LLC on or about
December 11, 2	2020, was designated "Confidential" by them pursuant to the Protective Order
in this case, and	d is Bates numbered WDC0715068.
32.	
	Exhibits 21 and 22 to this Declaration.
33.	Attached hereto as <b>Exhibit 21</b> is a true and correct copy of
	The document was produced to Amazon by Defendants Brian Watson and
WDC Haldings	·
C	LLC on or about February 3, 2021, was designated "Confidential" by them
-	Protective Order in this case, and is Bates numbered WDC0914417.
34.	Attached hereto as Exhibit 22 is a true and correct copy of
	The
document was p	produced to Amazon in native format by Defendants Brian Watson and WDC
Holdings LLC	on or about December 11, 2021, was marked "Confidential" by them
pursuant to the	Protective Order in this case, and is Bates numbered WDC0715068.
35.	

	Exhibits 23
and 24 to	o this Declaration.
3	6. Attached hereto as <b>Exhibit 23</b> is a true and correct copy of
	The document
was prod	luced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or about
February	3, 2021, was designated "Confidential" by them pursuant to the Protective Order
in this ca	ase, and is Bates numbered WDC0914293.
3	7. Attached hereto as <b>Exhibit 24</b> is a true and correct copy of
The docu	ument was produced to Amazon in native format by Defendants Brian Watson and
WDC H	oldings LLC on or about December 11, 2020, was marked "Confidential" by them
pursuant	to the Protective Order in this case, and is Bates numbered WDC0715068.
3	8.
	on Exhibits 25 to 27 to this Declaration.
3	9. Attached hereto as <b>Exhibit 25</b> is a true and correct copy of

The docume	ent
was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or about	out
February 3, 2021, was designated "Confidential" by them pursuant to the Protective Ord	ler
in this case, and is Bates numbered WDC0914314.	
40. Attached hereto as <b>Exhibit 26</b> is a true and correct copy of	
The document w	/as
produced to Amazon in native format by Defendants Brian Watson and WDC Holdin	ıgs
LLC on or about December 11, 2020, was designated "Confidential" by them pursuant	to
the Protective Order in this case, and is Bates numbered WDC0715068.	
41. Attached hereto as <b>Exhibit 27</b> is a true and correct copy of	
The document was produc	ed
to Amazon in native format by Defendants Brian Watson and WDC Holdings LLC on	or
about December 11, 2020, was designated "Confidential" by them pursuant to the Protection	ive
Order in this case, and is Bates numbered WDC0715068.	
42.	
Exhibits 28 and 29 to this Declaration.	
43. Attached hereto as <b>Exhibit 28</b> is a true and correct copy of	

		The document was produced to
Amazon by D	Defendants Brian Watson and WDC Holdin	gs LLC on or about February 3,
2021, was des	ignated "Confidential" by them pursuant to	the Protective Order in this case,
and is Bates n	umbered WDC0914476.	
44.	Attached hereto as Exhibit 29 is a true an	d correct copy of
The document	t was produced to Amazon in native format	by Defendants Brian Watson and
WDC Holding	gs LLC on or about December 11, 2020, w	vas designated "Confidential" by
them pursuant	to the Protective Order in this case, and is l	Bates numbered WDC0715068.
45.		
Exhibits 30 a	nd 31 to this Declaration.	
46.	Attached hereto as <b>Exhibit 30</b> is a true and	d correct copy of a
		The document was produced
to Amazon by	Defendants Brian Watson and WDC Holdi	ngs LLC on or about February 3,
2021, was des	ignated "Confidential" by them pursuant to	the Protective Order in this case,
and is Bates n	umbered WDC0914517.	
47.	Attached hereto as <b>Exhibit 31</b> is a true an	d correct copy of
		The

document was produced to Amazon in native format by Defendants Brian Watson and WDC Holdings LLC on or about December 11, 2020, was designated "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0715068.



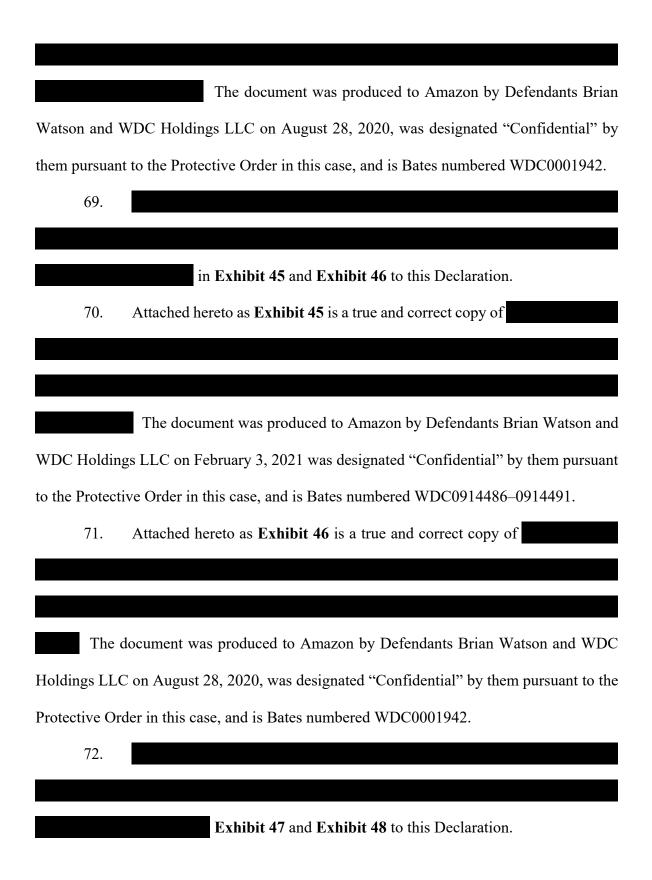
51.	On
	Exhibit 32
and Exhibit 3	3 to this Declaration.
52.	Attached hereto as Exhibit 32 is a true and correct copy of
	The document was produced to Amazon by
Defendants Br	rian Watson and WDC Holdings LLC on or about December 11, 2020, was
designated "C	onfidential" by them pursuant to the Protective Order in this case, and is Bates
numbered WD	OC0529719-0529726.
53.	Attached hereto as Exhibit 33 is a true and correct copy of
	The document was produced to Amazon in native format by
Defendants B	rian Watson and WDC Holdings LLC on or about December 11, 2020 was
designated "C	onfidential" by them pursuant to the Protective Order in this case, and is Bates
numbered WE	OC0513994.
54.	On

in Exhibit 34–37 to this Declaration.
55. Attached hereto as <b>Exhibit 34</b> is a true and correct copy of
The document was produced to Amazon by Defendants
Brian Watson and WDC Holdings LLC on December 11, 2020, was designated
"Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered
WDC0506748-0506754.
56. Attached hereto as <b>Exhibit 35</b> is a true and correct copy of
The document was produced to Amazon by
Defendants Brian Watson and WDC Holdings LLC on December 11, 2020, was designated
"Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered
WDC0513994.
57. Attached hereto as <b>Exhibit 36</b> is a true and correct copy of

The document was produced to Amazon by
Defendants Brian Watson and WDC Holdings LLC on or about December 11, 2020, and
was marked "Confidential" by them pursuant to the Protective Order in this case, and is
Bates numbered WDC0513994.
58. Attached hereto as <b>Exhibit 37</b> is a true and correct copy of
The document was produced to Amazon by Defendants Brian Watson
and WDC Holdings LLC on December 11, 2020 was designated "Confidential" by them
pursuant to the Protective Order in this case, and is Bates numbered WDC0513994.
59.
Exhibit 38 and Exhibit 39 to this Declaration
60. Attached hereto as <b>Exhibit 38</b> is a true and correct copy of
The document was produced to Amazon by
Defendants Brian Watson and WDC Holdings LLC on February 3, 2021, was designated
"Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered
WDC0914386–0914392.
W DCU/1730U-U/17372.

61.	Attached hereto as Exhibit 39 is a true and correct copy of
	The document was produced to Amazon in native
format by De	efendants Brian Watson and WDC Holdings LLC on December 11, 2020 was
designated "C	Confidential" by them pursuant to the Protective Order in this case, and is Bates
numbered W	DC0513994.
62.	
	Exhibit 40 and Exhibit 41 to this
Declaration.	
63.	Attached hereto as <b>Exhibit 40</b> is a true and correct copy of an
The documer	nt was produced to Amazon by Defendants Brian Watson and WDC Holdings
LLC on Febr	uary 3, 2021, was designated "Confidential" by them pursuant to the Protective
Order in this	case, and is Bates numbered WDC0914417-0914423.
64.	Attached hereto as Exhibit 41 is a true and correct copy of

	The document was produced to Amazon by Defendants Brian
Watson as	nd WDC Holdings LLC on December 11, 2020, was designated "Confidential" by
them purs	uant to the Protective Order in this case, and is Bates numbered WDC0513994.
65	Attached hereto as Exhibit 42 is a true and correct copy of
	The document was produced to Amazon
by Defen	dants Brian Watson and WDC Holdings LLC on December 11, 2020, was
designate	d "Confidential" by them pursuant to the Protective Order in this case, and is Bates
numbered	WDC0513994.
66	
	Exhibit 43 and Exhibit 44 to this
Declaration	on.
67	Attached hereto as <b>Exhibit 43</b> is a true and correct copy of
	The document was produced to Amazon by Defendants Brian
Watson a	nd WDC Holdings LLC on February 3, 2021, was designated "Confidential" by
them purs	suant to the Protective Order in this case, and is Bates numbered WDC0914476-
0914481.	
68	Attached hereto as <b>Exhibit 44</b> is a true and correct copy of



73. A	ttached hereto as Exhibit 47 is a true and correct copy of
7	The document was produced to Amazon by Defendants Brian Watson and
WDC Holdings I	LLC on February 3, 2011 was designated "Confidential" by them pursuant
to the Protective	Order in this case, and is Bates numbered WDC0914506–0914511.
74. A	ttached hereto as Exhibit 48 is a true and correct copy of
The document w	as produced to Amazon by Defendants Brian Watson and WDC Holdings
LLC on August 2	28, 2020, was designated "Confidential" by them pursuant to the Protective
Order in this case	e, and is Bates numbered WDC0001942.
75.	
	For example,
	in Exhibit 49 and Exhibit 50 to this Declaration.
76. A	ttached hereto as Exhibit 49 is a true and correct copy of
The d	locument was produced to Amazon by Defendants Brian Watson and WDC
Holdings LLC or	December 11, 2021, was designated "Confidential" by them pursuant to
the Protective Or	der in this case, and is Bates numbered WDC0749431–0749436.
77. A	ttached hereto as Exhibit 50 is a true and correct copy of

The document was produced to Amazon in native format by Defendants Brian Watson and WDC Holdings LLC on February 3, 2021, was designated "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0911899.

78. Attached hereto as **Exhibit 51** is a true and correct copy of

The document

was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or around September 14, 2021, was designated as "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0956741–0956780.

- 79. Attached hereto as **Exhibit 52** is a true and correct copy of the Defendants' Fourth Supplemental Answers To Plaintiffs' First Set Of Interrogatories, dated September 8, 2021, and verified by Defendant Brian Watson on behalf of himself and Defendant WDC Holdings LLC.
  - 80. Attached hereto as **Exhibit 53** is a true and correct copy of

The document was located in the Watson Devices produced on July 16, 2021, and, per the Court's July 9, 2021 order, Dkt. 302, is designated "Highly Confidential—Outside Attorneys' Eyes Only." Exhibit 53 is Bates numbered WATSON-IMAGE-00000024.

81. Attached hereto as Exhibit 54 is a true and correct copy of

The document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or around December 24, 2020, was designated as "Confidential" by them pursuant to the Protective Order in this case, and is Bates numbered WDC0904214–0904215.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on September 30, 2021.

Todd W. Shaw